

# Improving the criminal justice system assignment

Law



Most drug offenders are passive users or minor dealers of marijuana; reshaping America's drug policies will reduce the number of incarcerated individuals while allowing the criminal justice system to concentrate on more dangerous offenders. However, reshaping drug policies involves not only state and federal legislatures but also public opinion and the criminal justice system itself. Public Policy Process According to Marion and Oliver (2006), the public policy process is complex and contains the following five steps: problem identification, agenda setting, policy formulation, policy implementation, and policy evaluation.

These same steps are necessary to reshape America's drug policy and thus alleviate prison overcrowding. Problem Identification The most common arrest crime category in 2008 was drug violations; incarcerations of prisoners for drug offenses are 20% of state prisoners and 53% of federal prisoners (JUDOS, 2010). According to the Department of Justice (2010), the consequences of drug offenses effects the entire criminal justice system straining resources from arrest through adjudication and incarceration continuing to the post-release supervision procedures.

Since the sass, many states enacted mandatory long-term sentences for drug offenses, these laws resulted in a 12-fold increase in prison population (Maze, 2004). In New York, a conviction for either selling or possessing four ounces of narcotic drugs nets the offender a 1 5-year mandatory sentence, the same as those convicted of murder. Both Senator Webb (2009) and Dry. Maze (2004) agree that neither are these laws effective in lowering the use and sale Of illegal drugs, nor have the laws ended the power Of the multi-lion dollar drug trade.

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**Agenda Setting** The type of agenda for reshaping drug laws is a systemic agenda. This type of agenda encompasses issues commonly perceived by the political community as deserving public attention and involving matters falling under legislative jurisdiction and governmental authority (Marion & Oliver, 2006). Senator Webb introduced legislation in 2009 to create a commission to review every aspect of the criminal justice system; Webb (2009) endeavors to bring together the best minds to reform the criminal justice process.

One of Webb's concerns is how to reshape the nation's drug policies. Law Enforcement Against Prohibition (LEAP), an organization of current and former law enforcement officers, support Webb's commission. LEAP compares AY Capons, an alcohol smuggler, to Pablo Cobras, a drug cartel lord, as "Same problem... Same solution. Repeal Prohibition Now!" (Rig- Franz, 2009, p. 3). Senator Webb receives support from former police chiefs, Supreme Court Justice Kennedy, and both liberal and conservatives in the senate. Lick Formation Policy formation is the process that creates formal policies. Reshaping America's drug policy is a major overhaul of the existing drug laws and policy. In more than half of the states, individuals convicted for drug offenses exceeds the number convicted of violent crimes, and in six states the convictions for drug offenses are 50 to 100% higher than those convicted of violent crimes (Maze, 2004). State and federal legislatures will decide if money already dedicated to incarcerating drug convicts deserves redirection to drug rehabilitation instead.

If the various legislatures adopt a "no prohibition" policy for low-level drug use, possession, and distribution, the ends allocated for the incarceration of <https://assignbuster.com/improving-the-criminal-justice-system-assignment/>

these individuals either become a cost savings or a way to fund drug education and rehabilitation. Conversely, if legislation passes to counteract harsh mandatory drug sentences, prisons expenditures become less as the individuals spend less time in prison. Both political liberals and conservative agree that the current drug laws drain economic resources without curtailing illegal drug use. All laws enter a formal legislative process involving committees and hearings in both.